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Beginning February 1, 2017, under Local Rule 13.05, it is the procedure of this Court to order the U.S. Attorney's Office to file a sealed statement in <u>all</u> criminal cases in which a defendant enters a guilty plea that will either explain the terms of a defendant's cooperation *or* state that a defendant did not cooperate with the government. <u>The public will not be able to determine whether a defendant did or did not cooperate with the government by reading these docket entries.</u>

CLOSED

U.S. District Court Eastern District of Missouri (St. Louis) CRIMINAL DOCKET FOR CASE #: 4:01-cr-00209-CAS All Defendants

Case title: USA v. Popov

Date Filed: 05/03/2001

Date Terminated: 04/16/2002

Assigned to: Honorable Charles A.

Shaw

Defendant (1)

Maksym I. Popov TERMINATED: 04/16/2002 represented by St. Louis Fed Public Defender

FEDERAL PUBLIC DEFENDER

1010 Market Street

Suite 200

St. Louis, MO 63101

314-241-1255

Fax: 314–421–3177

Email: moe ecfnote@fd.org TERMINATED: 04/16/2002

LEAD ATTORNEY

Designation: Public Defender or Community

Defender Appointment

William S. Margulis

MARGULIS GELFAND, LLC

8000 Maryland Avenue

Suite 420

St. Louis, MO 63105

314-390-0234

Fax: 314-485-2264

Email: <u>bill@margulisgelfand.com</u>

TERMINATED: 06/15/2001

LEAD ATTORNEY

ATTORNEY TO BE NOTICED Designation: CJA Appointment

Pending Counts

18:1951.F INTERFERENCE WITH COMMERCE BY THREAT OR VIOLENCE (1)

Disposition

Defendant is committed to the custody of the US Bureau Of Prisons to be imprisoned for a total term of 12 months and 1 day. This term consists of a term of 12 months and 1 day on each of counts one and two, all to be served concurrently. The defendant shall be given credit for "time served" in federal custody by the Federal Bureau of Prisons, and it is the intent of this Court that the defendant not serve an additional period of imprisonment in connection with this offense. Defendant is remanded to the custody of the US Marshal. Upon release from imprisonment, the defendant shall be on supervised release for a term

18:875D.F INTERSTATE COMMUNICATIONS – THREATS TO PERSONS of 1 year. This term consists of a term of 1 year on count one and a term of 1 year on count two, all to run concurre ntly. Defendant to comply with the Standard Conditions of Supervision and with Special Conditions of Supervision. Defendant ordered to pay a special assessment of \$100.00 on each of counts one and two for a total special assessment of \$200.00 which is due immediately.

Defendant is committed to the custody of the US Bureau Of Prisons to be imprisoned for a total term of 12 months and 1 day. This term consists of a term of 12 months and 1 day on each of counts one and two, all to be served concurrently. The defendan t shall be given credit for "time served" in federal custody by the Federal Bureau of Prisons, and it is the intent of this Court that the defendant not serve an additional period of imprisonment in connection with this offense. Defendant is remanded to the custody of the US Marshal. Upon release from imprisonment, the defendant shall be on supervised release for a term of 1 year. This term consists of a term of 1 year on count one and a term of 1 year on count two, all to run concurre ntly. Defendant to comply with the Standard Conditions of Supervision and with Special Conditions of Supervision. Defendant ordered to pay a special assessment of \$100.00 on each of counts one and two for a total special assessment of \$200. 00 which is due immediately.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level

(Terminated)

None

Complaints

None

Disposition

Disposition

Plaintiff

USA

represented by Patricia A. McGarry

OFFICE OF U.S. ATTORNEY 111 S. Tenth Street 20th Floor St. Louis, MO 63102 314–539–2200 Fax: 314–539–7695 LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed # Docket Text

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05/03/2001	1	INDICTMENT (referred to Mag Judge David D. Noce) by USA; Counts filed against Maksym I. Popov (1) count(s) 1, 2 (CF) (Entered: 05/04/2001)
05/03/2001		ARREST Warrant issued for Maksym I. Popov (CF) (Entered: 05/04/2001)
05/03/2001	2	APPEARANCE for plaintiff USA by Attorney Patricia A. McGarry (CF) (Entered: 05/04/2001)
05/03/2001		REMARK – indictments returned late on 5/03/01. Case opened on 5/04/01. (CF) (Entered: 05/04/2001)
05/10/2001	<u>3</u>	CJA Form 20 Copy 4 (Appointment of Counsel) Appointed Attorney William S. Margulis for defendant Maksym I. Popov and terminated (DLB) (Entered: 05/10/2001)
05/10/2001	4	ARRAIGNMENT MINUTES: before Mag Judge David D. Noce dft Maksym I. Popov arraigned; dft waives reading of indictment; not guilty to all counts plea entered; order on pretrial motions to issue; Attorney William Margulis present; ; Defendant Location: custody court reporter: dbraun; Tape #: 2 Index#s: 1–160 proceedings started: 9:39am – ended: 9:41am (DLB) (Entered: 05/10/2001)
05/10/2001	<u>5</u>	ORDER PRETRIAL MOTIONS by Mag Judge David D. Noce; motion filing ddl set for 6/7/01 for Maksym I. Popov; motion/evidentiary hrg set for 10:00 6/18/01 for Maksym I. Popov; jury trial set for 9:00 7/2/01 for Maksym I. Popov Disclose suppresible evidence: 5/17/01. Each party to file Pretrial disclosure: 5/24/01. Each party to respond to Pretrial disclosure: 6/7/01. (DLB) (Entered: 05/10/2001)
05/10/2001		ARREST of defendant Maksym I. Popov on 5/10/01 (DLB) (Entered: 05/11/2001)
05/30/2001	6	ORDER by Mag Judge David D. Noce FILED UNDER SEAL AND PLACED IN VAULT. (DLB) (Entered: 05/31/2001)
06/07/2001	7	MOTION for extension of time to file pretrial motions up to and including 6/14/01 by Maksym I. Popov (DLB) (Entered: 06/07/2001)
06/07/2001	<u>8</u>	ORDER by Mag Judge David D. Noce granting motion for extension of time to file pretrial motions up to and including 6/14/01 [7–1]; motion filing ddl set for 6/14/01 for Maksym I. Popov (cc: all counsel, USPT, USP, USM) (DLB) (Entered: 06/07/2001)
06/08/2001		LETTER from USA to dft's counsel (Margulis) re: discovery (DLB) (Entered: 06/19/2001)
06/14/2001	9	LETTER from Consul General of Ukraine re: Maksym I. Popov (LGK) (Entered: 06/14/2001)
06/14/2001	<u>10</u>	ORDER as to defendant Maksym Popov by Mag Judge David D. Noce ; in–court hearing set for 3:00 6/15/01 for Maksym I. Popov (cc: all counsel, USPT, USP, USM) (LGK) (Entered: 06/14/2001)
06/15/2001	11	ORDER by Mag Judge David D. Noce; that William S. Margulis is relieved of his appointment to represent deft in this action, following his filing with the Clerk the pretrial motions he had previously prepared for filing in this case; the evidentiary hearing set for 6/18/01 is vacated; the FPD is appointed; p.t. mtns ddl 7/6/01 add attorney Fed Public Defender for defendant Maksym I. Popov, ; motion filing ddl set for 7/6/01 for Maksym I. Popov; motion/evidentiary hearing date termed (cc: all counsel, USPT, USP, USM) (KKS) (Entered: 06/15/2001)
06/15/2001	12	MOTION for William S. Margulis to withdraw as attorney by Maksym I. Popov (DLB) Modified on 06/19/2001 (Entered: 06/19/2001)
06/15/2001	13	MOTION to suppress statements by Maksym I. Popov (DLB) Modified on 06/19/2001 (Entered: 06/19/2001)
06/15/2001	14	MOTION to suppress evidence (tangible objects) by Maksym I. Popov (DLB) Modified on 06/19/2001 (Entered: 06/19/2001)
06/15/2001	15	MOTION to suppress illegally obtained electronic suveillance evidence and to produce materials related to said evidence by Maksym I. Popov (DLB) Modified on 06/19/2001 (Entered: 06/19/2001)

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06/15/2001	16	MOTION HEARING MINUTES: before Mag Judge David D. Noce parties present for hearing on defendant's motion for William S. Margulis to withdraw as attorney [13–1]; Court to grant motion; order to issue withdrawing attorney William S. Margulis for Maksym I.; Defendant Location: custody court reporter: lkresko; proceedings started: 3:15pm – ended: 3:30pm (DLB) Modified on 06/19/2001 (Entered: 06/19/2001)
06/15/2001		ARREST Warrant returned executed as to Maksym I. Popov on 6/15/01 Warrant for arrest of deft on: indictment (DLB) (Entered: 06/19/2001)
06/18/2001	<u>17</u>	ORDER by Mag Judge David D. Noce; motion/evidentiary hrg reset for 2:00 7/23/01 for Maksym I. Popov (cc: all counsel, USPT, USP, USM) (DLB) (Entered: 06/19/2001)
06/20/2001	18	LETTER from DDN (filed under seal) (KKS) (Entered: 06/21/2001)
06/22/2001	19	MOTION to continue the motion setting & to extend the mtn filing ddl by Maksym I. Popov (KKS) (Entered: 06/25/2001)
06/25/2001	<u>20</u>	ORDER as to defendant Maksym Popov by Mag Judge David D. Noce granting motion to continue the motion setting [19–1], granting motion to extend the mtn filing ddl [19–2]; motion filing ddl set for 8/27/01 for Maksym I. Popov; motion/evidentiary hrg set for 1:00 9/6/01 for Maksym I. Popov (cc: all counsel, USPT, USP, USM) (LGK) (Entered: 06/26/2001)
06/25/2001	<u>21</u>	RULED DOCUMENT by Honorable Charles A. Shaw granting motion to continue trial date (cc: all counsel, USPT, USP, USM) (LGK) (Entered: 06/26/2001)
06/26/2001	<u>22</u>	ORDER as to defendant Maksym Popov by Honorable Charles A. Shaw; jury trial set for 9:00 10/1/01 for Maksym I. Popov and the 7/2/01 trial setting is vacated (cc: all counsel, USPT, USP, USM) (LGK) (Entered: 06/26/2001)
07/02/2001	23	LETTER from court to dft and Counsul General of Ukraine re: correspondence. FILED UNDER SEAL AND PLACED IN VAULT. (DLB) Modified on 07/05/2001 (Entered: 07/05/2001)
08/01/2001	24	CJA Form 20 (Attorney Payment Voucher) as to Maksym I. Popov FILED UNDER SEAL AND PLACED IN VAULT. (DLB) (Entered: 08/09/2001)
08/16/2001	25	MOTION to continue trial date as to defendant Maksym I. Popov by Maksym I. Popov (FCE) (Entered: 08/17/2001)
08/16/2001	<u>26</u>	RULED DOCUMENT by Honorable Charles A. Shaw granting motion to continue trial date as to defendant Maksym I. Popov [25–1] Trial continued to 11/5/01 @ 9:00 am CAS on face. (cc: all counsel, USPT, USP, USM) (FCE) (Entered: 08/17/2001)
08/16/2001	<u>27</u>	ORDER as to defendant Maksym I. Popov by Honorable Charles A. Shaw; jury trial reset for 9:00 11/5/01 for Maksym I. Popov (cc. all counsel, USPT, USP, USM) (FCE) (Entered: 08/17/2001)
08/20/2001	28	MOTION to continue motion hearing setting and date for motions are due by Maksym I. Popov (DLB) (Entered: 08/21/2001)
08/21/2001	<u>29</u>	ORDER by Mag Judge David D. Noce granting motion to continue motion hearing setting and date for motions are due [28–1]; motion/evidentiary hrg reset for 10:00 10/2/01 for Maksym I. Popov; motion filing ddl set for 9/21/01 for Maksym I. Popov (cc: all counsel, USPT, USP, USM) (DLB) (Entered: 08/21/2001)
08/29/2001	30	WAIVER OF SPEEDY TRIAL by defendant Maksym I. Popov (DLB) (Entered: 08/30/2001)
08/31/2001	<u>31</u>	CONTINUANCE per 18:3161 by Honorable Charles A. Shaw (cc: all counsel,USPT,USP,USM) (DLB) (Entered: 09/06/2001)
09/25/2001	32	MOTION to continue trial setting until as to defendant Maksym Popov by Maksym I. Popov (JWJ) (Entered: 09/25/2001)
09/25/2001	<u>33</u>	RULED DOCUMENT by Honorable Charles A. Shaw granting motion to continue trial setting until as to defendant Maksym Popov [32–1]; jury trial set for 9:00 1/7/02 for Maksym I. Popov (cc: all counsel, USPT, USP, USM) (JWJ) (Entered: 09/25/2001)

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09/25/2001	<u>34</u>	ORDER as to defendant Maksym Popov by Honorable Charles A. Shaw IT IS HEREBY ORDERED that the trial setting of this matter scheduled 11/5/01 is VACATED . IT IS FURTHER ORDERED that the trial is RESET on the Court's docket for January 7, 2002 @ 9:00 (cc: all counsel, USPT, USP, USM) (JWJ) (Entered: 09/25/2001)
10/03/2001	35	MINUTES: before Mag Judge David D. Noce evidentiary hearing held 10/3/01; deft waived his rights to a hearing; Defendant Location: Custody court reporter: Lisa Kresko; proceedings: 9:08–9:12 (KKS) (Entered: 10/04/2001)
10/03/2001	<u>36</u>	ORDER by Mag Judge David D. Noce the telephone status hearing is set for 9:00 11/6/01 for Maksym I. Popov (cc: all counsel, USPT, USP, USM) (KKS) (Entered: 10/05/2001)
10/03/2001	37	WAIVER OF FILING PRETRIAL MOTIONS by defendant Maksym I. Popov (KKS) (Entered: 10/05/2001)
10/03/2001	<u>38</u>	REPORT AND RECOMMENDATION concerning motion to suppress illegally obtained electronic suveillance evidence and to produce materials related to said evidence [15–1], motion to suppress evidence (tangible objects) [14–1], motion to suppress statements [13–1] by Mag Judge David D. Noce; recommending the mtns be denied as moot; Objection to RR ddl 10/15/01 (cc: all counsel, USPT, USP, USM) (KKS) (Entered: 10/05/2001)
10/05/2001	41	CJA Form 20 (Attorney Payment Voucher) paid to William S. Margulis, in the amount of \$2,114.82, and recorded on voucher number 010817000151 as to Maksym I. Popov (FCE) (Entered: 10/24/2001)
10/17/2001	39	MOTION for order by USA (FCE) (Entered: 10/17/2001)
10/17/2001	40	ORDER by Mag Judge David D. Noce granting motion for order [39–1] (cc: counsel, USPT, USP, USM) (FCE) (Entered: 10/17/2001)
11/05/2001	44	CJA Form 20 (Attorney Payment Voucher) paid to willaim margulis, in the amount of 2,114.82, and recorded on voucher number 010817000151 as to Maksym I. Popov (JWJ) (Entered: 11/16/2001)
11/06/2001	42	MINUTES: before Mag Judge David D. Noce status hearing held on 11/6/01, ; next status hearing set for 9:00 12/6/01 for Maksym I. Popov; Defendant Location: Bond court reporter: None; proceedings started: 3:30 pm – ended: 3:45 pm (PROCEEDING UNDER SEALMINUTES ENTRY UNDER SEAL). (FCE) Modified on 05/31/2002 (Entered: 11/07/2001)
11/14/2001	43	ORDER as to defendant Maksym Popov by Honorable Charles A. Shaw adopting report and recommendation motion REPORT AND RECOMMENDATION concerning motion to suppress illegally obtained electronic suveillance evidence and to produce materials related to said evidence [15–1], motion to suppress evidence (tangible objects) [14–1], motion to suppress statements [13–1] [38–1], denying motion to suppress illegally obtained electronic suveillance evidence and to produce materials related to said evidence [15–1], denying motion to suppress evidence (tangible objects) [14–1], denying motion to suppress statements [13–1] (cc: all counsel, USPT, USP, USM) (JWJ) (Entered: 11/15/2001)
12/12/2001		MINUTES: of telephone conference before Mag Judge David D. Noce as to defendant Maksym Popov; Defendant Location: custody court reporter: none; proceedings started: 2:50 – ended: 3:00 (JWJ) (Entered: 12/14/2001)
12/13/2001	45	MOTION to continue trial setting of 1/7/02 of defendant Maksym I. Popov by Maksym I. Popov. (FCE) (Entered: 12/13/2001)
12/13/2001	<u>46</u>	RULED DOCUMENT by Honorable Charles A. Shaw granting motion to continue trial setting of 1/7/02 of defendant Maksym I. Popov [45–1]; jury trial set for 9:00 3/4/02 for Maksym I. Popov (cc: all counsel, USPT, USP, USM) (FCE) (Entered: 12/13/2001)
12/13/2001	<u>47</u>	ORDER as to defendant Maksym I. Popov by Honorable Charles A. Shaw IT IS HEREBY ORDERED that the trial setting of this matter scheduled 1/7/02 is VACATED. IT IS FURTHER ORDERED that the trial is RESET on the Court's docket for 3/4/02 @ 9:00 AM. (cc: all counsel, USPT, USP, USM) (FCE) (Entered:

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		12/13/2001)
02/19/2002	48	MOTION for order by USA (FCE) (Entered: 02/20/2002)
02/19/2002	49	ORDER by Honorable Charles A. Shaw granting motion for order [48–1] (cc: all counsel, USPT, USP, USM) (FCE) (Entered: 02/20/2002)
02/28/2002	<u>50</u>	ORDER as to defendant Maksym I. Popov by Honorable Charles A. Shaw At the request of counsel, IT IS HEREBY ORDERED taht the trial setting of this matter scheduled 3/4/02 is RESET fro 4/1/02 @ 9:00 am in Courtroom 12–N; jury trial set for 9:00 4/1/02 for Maksym I. Popov (cc: all counsel, USPT, USP, USM) (FCE) (Entered: 03/01/2002)
02/28/2002	51	MOTION to continue trial setting of 3/4/02 as to defendant Maxsym Popov by Maksym I. Popov (FCE) (Entered: 03/01/2002)
02/28/2002	<u>52</u>	RULED DOCUMENT by Honorable Charles A. Shaw granting motion to continue trial setting of 3/4/02 as to defendant Maxsym Popov [51–1] RESET TO 4/1/02 (cc: all counsel, USPT, USP, USM) (FCE) (Entered: 03/01/2002)
03/26/2002	53	MINUTES: before Honorable Charles A. Shaw guilty plea entered to Counts 1 and 2 of superseding indictment by Maksym I. Popov; objection to PSR deadline set for 5/30/02 for Maksym I. Popov, for USA, pretrial motions satisfied on 3/26/02 jury trial termed on 3/26/02 status hearing termed on 3/26/02 in—court hearing termed on 3/26/02; sentencing hearing set for 9:30 6/18/02 for I. Popov; stipulation of facts rel to sentencing filed with plea agreement UNDER SEAL; Probation Office in courtrom; as to defendant Maksym Popov; Defendant Location: Custody court reporter: Carleen Horenkamp; proceedings started: 9:55 am – ended: 10:15 am (FCE) (Entered: 03/26/2002)
03/26/2002	54	STIPULATION OF FACTS RELATIVE TO SENTENCING by Maksym I. Popov, USA regarding [53–3]. (FCE) (Entered: 03/26/2002)
03/26/2002	<u>55</u>	ORDER as to defendant Maksym I. Popov by Honorable Charles A. Shaw; sentencing hearing set for 9:30 6/18/02 for Maksym I. Popov (cc: all counsel, USPT, USP, USM) (FCE) (Entered: 03/27/2002)
04/12/2002	56	MOTION for order by USA (FCE) (Entered: 04/15/2002)
04/16/2002	57	MINUTES: before Honorable Charles A. Shaw –Defendant/parties present for imposition of sentence. PRESENTENCE INVESTIGATION REPORT NOT FILED AS OF THIS DATE DUE TO EXPEDITED SENTENCING. Sentence imposed (See Judgment) Defendant remanded to custody of US Marshal. sentencing hearing held on 4/16/02 as to defendant Maksym Popov; Defendant Location: CUSTODY court reporter: Susan Moran; proceedings started: 1:40 pm – ended: 1:45pm (MRC) (Entered: 04/18/2002)
04/16/2002	<u>58</u>	JUDGMENT by Honorable Charles A. Shaw as to Maksym I. Popov sentencing Maksym I. Popov (1) count(s) 1, 2. Defendant is committed to the custody of the US Bureau Of Prisons to be imprisoned for a total term of 12 months and 1 day. This term consists of a term of 12 months and 1 day on each of counts one and two, all to be served concurrently. The defendant shall be given credit for "time served" in federal custody by the Federal Bureau of Prisons, and it is the intent of this Court that the defendant not serve an additional period of imprisonment in connection with this offense. Defendant is remanded to the custody of the US Marshal. Upon release from imprisonment, the defendant shall be on supervised release for a term of 1 year. This term consists of a term of 1 year on count one and a term of 1 year on count two, all to run concurrently. Defendant to comply with the Standard Conditions of Supervision and with Special Conditions of Supervision. Defendant ordered to pay a special assessment of \$100.00 on each of counts one and two for a total special assessment of \$200.00 which is due immediately. , terminating party Maksym I. Popov , case terminated (cc: all counsel, USPT, USP, USM) (MRC) (Entered: 04/18/2002)
04/16/2002	59	STATEMENT OF REASONS for defendant: Maksym Popov FILED UNDER SEAL (MRC) (Entered: 04/18/2002)
04/23/2002	60	MARSHAL'S RETURN of judgment executed on 3/2/02 as to Maksym I. Popov released for time served on said date. (FCE) (Entered: 04/24/2002)

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05/15/2002	61	TRANSCRIPT filed from status hearing of 10/3/01; as to deft: Maksym Popov before Judge: Noce court reporter: Lisa Kresko (JWJ) (Entered: 05/15/2002)
06/04/2002	62	MOTION for order as to defendant: Maksym I. Popov by USA (FCE) Modified on 06/05/2002 (Entered: 06/05/2002)
06/04/2002	63	ORDER as to defendant Maksym I. Popov by Mag Judge David D. Noce granting motion for order as to defendant: Maksym I. Popov [62–1] (cc: all counsel, USPT, USP, USM) (FCE) (Entered: 06/05/2002)
07/21/2003	64	Probation Transfer to District of Central California as to defendant Maksym I. Popov sent by Clerks Office (cc: indictment, judgment, and docket sheet) (KXS) (Entered: 07/23/2003)
07/23/2003	65	LETTER from clerk of USDC MOED to clerk of USDC District of California re: probation transfer (copies of order, docket sheet, indictment and judgment enclosed) (KXS) (Entered: 07/23/2003)